

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	
)	
BRIAN TODD and)	CR. NO. 04-10246-PBS
SHAUN TODD)	

MEMORANDUM
PURSUANT TO LOCAL RULE 116.5(C)

Pursuant to Local Rule 116.5(C), the undersigned AUSA contacted counsel for the defendants to discuss the status of the case. Both counsel agree that the case presently is headed to trial and is ready to be reported up to the trial court. The undersigned AUSA faxed a draft of the joint memorandum to the defendants' counsel for review but the parties were not able to speak before submission of the memorandum to the Court. Accordingly, the government states as follows:

(1) There are no discovery issues to be presented to or resolved by the Court.

(2) The government does not presently anticipate providing additional discovery, but understands its discovery obligations remain ongoing.

(3) As far as the government is aware, the defendants do not intend to raise a defense of insanity or public authority.

(4) The government has not requested notice of an alibi by the defendants.

(5-6) As far as the government is aware, the defendants do not

presently intend to file any dispositive motions and no briefing schedule needs to be set.

(7) The parties have discussed the possibility of an early resolution of the case without trial but as yet have reached no agreement. Although such discussions remain ongoing, the parties presently believe the case will proceed to trial.

(8) The parties estimate that the trial will last approximately five trial days.

BRIAN and SHAUN TODD
By His Attorney

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